

Comparison of
State Unemployment
Insurance Laws

as of

January 1, 1962

U.S. DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT SECURITY

Unemployment Insurance Service

U.S. DEPARTMENT OF LABOR

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UNEMPLOYMENT INSURANCE SERVICE

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PREFACE

In the Federal-State system of unemployment insurance established in this country under the Social Security Act, the individual States have been free to develop the particular program that seems best adapted to conditions prevailing within the State. Consequently, no two State laws are alike.

It is important that the public know the details of the employment security program and understand how it functions as a part of the Nation's comprehensive system of social insurance. The *Comparison of State Unemployment Insurance Laws* reports State by State the types of workers that are covered under the State law; the methods of financing the program; the benefits that are payable; the conditions to be met for payment; and the administrative organizations established to do the job. Such specific technical information is essential to an understanding of how the employment security program can make its maximum contribution to individual and family security as well as to the stability of business and of the economy in general.

During the regular legislative sessions of 1960 and 1961, 47 State legislatures amended their State unemployment insurance laws. The most significant provisions of the 52 State laws as of January 1, 1962, have been summarized and compared in this document. All of the amendments reported are effective by January 1, 1962, unless otherwise noted. The benefit provisions reported in chapter III, however, are not effective for all claimants by this date. In some States, claimants who were already in a benefit status when the law became effective may not be eligible for benefits under the new provisions until they establish a new benefit year.

While the *Comparison* analyzes primarily the State statutes, in certain cases in which general statements in the statutes are implemented by specific statements in rules, regulations, opinions of attorneys general, or court decisions, the latter are included with notes indicating their source.

In the summaries and tables, "State" includes the District of Columbia and the Commonwealth of Puerto Rico, in accordance with the definition of State in the Social Security Act and the Federal Unemployment Tax Act. The Virgin Islands enacted an unemployment insurance law in 1961 which provides for contributions on wages paid after January 1, 1962, and for the payment of benefits beginning January 1, 1964. Since the program is not included in the Federal-State system of unemployment insurance set up under the Social Security Act, no analysis of the provisions of the law is included here.

The Railroad Unemployment Insurance Act, which is administered by the Railroad Retirement Board for railroad workers, is outside of the Federal-State system of unemployment insurance and is not included in this comparison. Benefits are payable to railroad workers for unemployment due to sickness as well as to lack of work under a Federal formula applicable throughout the country.

Four States provide benefits for unemployment due to nonoccupational disability as well as for unemployment due to lack of work. In California, New Jersey, and Rhode Island, the programs are administered by the unemployment insurance agencies. The New York law is administered by the State workmen's compensation agency. The laws of these four States are compared briefly in chapter VI.

Since State employment security agencies are administering the unemployment insurance provisions of title XV of the Social Security Act, as amended (Public Law 767, 83d Cong., and Public Law 848, 85th Cong.), a brief description of these Federal programs is included in chapter VII. A brief summary of the temporary extended benefits program provided by the Temporary Extended Unemployment Compensation Act of 1961 (Public Law 6, 87th Cong.) is included in chapter VIII.

The *Comparison* has been issued solely for informational, reference, and research purposes. It should not be considered an official interpretation of the State unemployment insurance laws. The State statutes must be consulted for the full text of State laws. The State rules and regulations, opinions of attorneys general, and administrative and court decisions contain the official interpretations of these laws.

The *Comparison* has been prepared in the Branch of Legislative Standards and Reports, Division of Legislation, in the Unemployment Insurance Service. It supersedes the *Comparison of State Unemployment Insurance Laws* as of January 1, 1960.

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